

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

George Quintero

v.

Civil No. 12-cv-358-LM

Warden, Northern New Hampshire
Correctional Facility

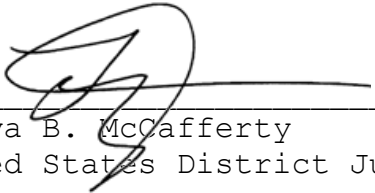
O R D E R

After due consideration of the objection filed, I approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated August 11, 2015 (doc. no. 35) for the reasons stated therein. The Respondent's Motion for Summary Judgment (doc. no. 19) is hereby granted, and the petition for writ of habeas corpus (doc. nos. 1 and 14) is hereby denied.

Additionally, when the court enters a final order adverse to the petitioner, the Rules Governing Section 2255 Proceedings require the court to issue or deny a certificate of appealability. Rule 11(a). The court will issue the certificate "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The petitioner has failed to make such a showing. Accordingly, a certificate of appealability is denied.

The Clerk shall enter judgment in accordance with this order and close the case.

SO ORDERED.



Landya B. McCafferty
United States District Judge

September 17, 2015

cc: George Quintero, pro se
Elizabeth C. Woodcock, Esq.